

AL-17-000-9907



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGIONAL ADMINISTRATOR  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

**JUL 27 2017**

The Honorable John Shimkus  
House of Representatives  
Washington, D.C. 20515

Dear Congressman Shimkus:

Thank you for your May 26, 2017, letter to the U.S. Environmental Protection Agency forwarding a letter you received from the City of Centralia. The City is concerned about new disinfection and phosphorus requirements that the City believes the Illinois Environmental Protection Agency (Illinois EPA) is including in the National Pollutant Discharge Elimination System (NPDES) permit for the City's sewage treatment plant.

For years, EPA and Illinois EPA have worked together to implement the state's water quality standards for bacteria and nutrients to ensure that Illinois' NPDES permits meet federal Clean Water Act requirements and adequately protect human health and the environment. As Illinois EPA is the NPDES permit-issuing authority in Illinois, EPA reached out to Illinois EPA for information about the permit after receiving your letter. Illinois EPA is currently working to set up a meeting with the City to discuss the permit, including the disinfection and phosphorus concerns identified in the City's letter to you.

Illinois EPA notified my staff that they have drafted a permit for the City which continues the year-round disinfection exception, but does include a new 1.0 mg/L effluent limitation for phosphorus to work toward the full implementation of Illinois' water quality standards. This limitation for phosphorus has been consistently applied and achieved at facilities in other states with minimal adjustments to operations and at a reasonable cost. Moreover, the phosphorus effluent limit is driven by the Clean Water Act and supporting requirements to set controls so waters comply with water quality standards. A recent appellate court decision in Illinois confirmed this requirement in greater detail. It is this decision that Illinois EPA is attempting to address by establishing initial phosphorus limits in NPDES permits. As a matter of routine, states will assess a facility's impact on water quality, human health, and the environment at the time of permit reissuance and include new or revised permit requirements necessary to implement water quality standards and protect human health. Implementing new requirements will help to address leading causes of water quality impairments in waters downstream of Centralia; these impairments negatively impact communities that depend on clean water for drinking water, aquatic recreation, and other uses.

Because Illinois EPA is the NPDES permit issuing authority in Illinois, we encourage the City to continue to work to resolve these issues with Illinois EPA in order to both address the City's



concerns and to ensure protection of human health and the environment consistent with the Clean Water Act. It is possible to do both, as has been demonstrated by other Illinois communities and by communities in surrounding states that have extensive experience implementing similar – or more stringent – requirements. Should the City continue to have concerns regarding new requirements and costs, the state's comment and appeal process is available to the City. When Illinois EPA chooses to proceed with the permit, Illinois EPA will public notice the draft permit. This will begin the formal public comment and appeal process which provides the City and other interested parties an opportunity to state any concerns they may have regarding the permit.

Again, thank you for your letter. If you have further questions, or if you or your staff are interested in discussing the science or law regarding phosphorous limits or disinfection for wastewater treatment plants, please contact me or your staff may contact Ronna Beckmann or Denise Fortin, the Region 5 Congressional Liaisons, at (312) 886-3000, and we will be happy to schedule a briefing for your office.

Sincerely,

A handwritten signature in black ink, reading "Robert A. Kaplan". The signature is written in a cursive, flowing style with a large initial "R" and "K".

Robert A. Kaplan  
Acting Regional Administrator

